

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALLIED WASTE NORTH AMERICA, LLC
AND 623 LANDFILL, INC.,

PLAINTIFF,

v.

CIVIL ACTION NO.

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 25, THOMAS G.
MARI, INDIVIDUALLY AND AS
PRESIDENT, STEVEN J. SOUTH, AS
SECRETARY-TREASURER, JOAN C.
COREY, AS VICE PRESIDENT/ BUSINESS
AGENT, PETER S. BERRY, AS
RECORDING SECRETARY, MILTON
DEPINA, INDIVIDUALLY AND AS UNION
REPRESENTATIVE, NICO CATANO,
INDIVIDUALLY AND AS UNION
TRUSTEE, ERIC LOGAN, INDIVIDUALLY
AND AS UNION REPRESENTATIVE,
DAVID SMITH, INDIVIDUALLY AND AS
UNION REPRESENTATIVE,

And

JOHN DOES 1-100; and all others conspiring,
acting in concert, or otherwise participating
with them or acting in their aid or behalf,

DEFENDANTS.

AFFIDAVIT OF KURT LAVERY

I, Kurt Lavery, depose and state as follows:

1. I am over the age of twenty-one, make the statements contained in this Affidavit based on my personal knowledge, and I am competent to testify as to all facts stated herein.

2. I am employed by Republic Services as the Market Vice President for the Northeast Area. In that role, I oversee multiple business units, including but not limited to BU 143 based in

Peabody, Massachusetts and servicing customers in and around the North Shore of Massachusetts, and BU 141, based in Revere, Massachusetts and servicing customers in Boston and the surrounding towns and cities. BU 143 is operated as JRM Hauling and Recycling Services, LLC, which is wholly owned by 523 Landfill, Inc. BU 141 is operated as Allied Waste Services of Massachusetts, LLC and is wholly owned by Allied Waste North America, LLC. These two entities ultimately share the same corporate parent.

3. Republic provides waste collection, removal, and disposal services to commercial and residential customers throughout Massachusetts, including by and through its contracts with state and federal public entities, municipalities, and private companies. Through these contracts, Republic services about 400,000 customers in Massachusetts.

4. BU 143 includes facilities located at 109 Newbury Street, Peabody, Massachusetts (“Peabody Recycling Facility”), 300 Forest Street, Peabody, Massachusetts (“Peabody Transfer Station”), and 277 Newbury Street, Peabody, Massachusetts (“Peabody Hauling Facility”)

5. BU 141 includes facilities located at 320 Charger Street, Revere Massachusetts (“Revere Facility”), 66 Norfolk Avenue, Roxbury, Massachusetts (“Roxbury Facility”), and 300 Centre Street, Holbrook, Massachusetts (“Holbrook Facility”).

6. Revere Facility is part of BU 141 and Republic runs hauling/collection waste and recycling trucks out of this location.

7. Roxbury Facility is part of BU 141 and is a transfer station that collects municipal solid waste and construction and demolition materials. Once collected, materials are taken off the facility floor and transported to an end-site. End-sites include third-party waste-to-energy plants such as Win Waste in Saugus or Covanta/ReWorld in Haverhill, as well as third-party landfills such as WM Turnkey LF in Rochester, New Hampshire. Republic contracts with these companies

to utilize their end-sites. Materials are also placed onto rail lines out of Westborough or Ayer, and are transported on rail to one of Republic's landfills in other states.

8. Holbrook Facility is part of BU 141 and Republic runs hauling/collection waste and recycling trucks out of this location.

9. Peabody Hauling Facility is part of BU 143 and Republic runs hauling/collection waste and recycling trucks out of this location.

10. Peabody Transfer Station is part of BU 143 and is similar to the Roxbury Facility. Both Republic and third-party customers utilize the Peabody Transfer Station to drop off recycling waste. The general public can directly utilize this facility for drop off, as well.

11. Peabody Recycling Facility is part of BU 143 and collects recycling from Republic trucks, third-party customers, and the general public.

12. Republic employees travel to a variety of locations from these bases of operation, to perform waste removal and disposal services for Massachusetts commercial and residential customers.

13. Republic and Local 25 were parties to a collective bargaining agreement dated July 1, 2020, that expired on June 30, 2025. The parties engaged in bargaining a successor contract, beginning April 19, 2025. I am a member of the Republic negotiating team. To date, the parties have had approximately ten bargaining sessions to try to reach agreement on new contract terms. The Union, led by Thomas Mari, President of Local 25, abruptly ended negotiation sessions on two different occasions. For example, during the negotiation session on Tuesday, June 24th, Mari unilaterally ended the negotiation session mere minutes into meeting. The parties have been unable to reach agreement, to date. Throughout the negotiations, the Union has refused to extend the contract, and has responded simply "you have until June 30."

14. Beginning on July 1, 2025, Local 25 began the strike in which it is currently engaged. On July 2, 2025 the parties engaged and met with a federal mediator to attempt to resolve the labor dispute. The federal mediator was unable to secure an agreement.

15. The strike began with picketing at various locations, including but not limited to the Peabody Hauling Facility and the Revere Facility. Since July 1, Local 25 has expanded its picketing activities to additional locations including the Peabody Recycling Facility, the Peabody Transfer Station, the Roxbury Facility, and the Holbrook Facility. The Union's misconduct has not abated, and has escalated throughout the strike.

16. On July 1, 2025 at approximately 2:00 a.m., I was a passenger in a rental car, driven by Jeff Swagger, Republic Area Security Manager. We were attempting to enter Republic's location at 320A Charger Street in Revere. We were leading a caravan of passenger vans carrying replacement drivers. As we entered the yard, the car was swarmed by picketers, some of whom were wearing Teamsters shirts and others wearing clothing with Republic Services' logo. The picketers were holding signs, and many of them were holding bullhorns, sirens, and shining strobe lights in our face as we were trying to drive through. They were also screaming and yelling profanities and threats. The picketers were preventing the rental car and the caravan from moving forward.

17. Some of the picketers know me personally, as I used to be the General Manager of the Revere location and also I am present in all business units around the market in my current role. The threats of the picketers became targeted to me when Local 25 Business Agent Eric Logan pointed me out to the crowd and said "This is the cocksucker who didn't give you Capital wages" and "This is the motherfucker who did not give you a raise." At another point, Eric Logan identified me to other members of the large crowd and said "This is Kurt Lavery here, he's the

motherfucker who isn't giving you and your family what you need to survive." The crowd responding with jeers, screaming "Fuck you" and banging on the vehicle, blowing of air horns and sirens and for picketers close by, placing hands on the vehicle and either hitting or shaking it.

18. I recognized many Republic employees picketing employees on site, but there were also a large number of people that were not employees.

19. Since members of the crowd were using sirens, bullhorns, and a hand-held air horn, so it was impossible to hear the commands of the police officers present. Even if we could hear them, there was not much the police officers could do, as they were severely outnumbered. Picketers were also using strobe lights to block the vision of Swagger as he attempted to drive forward. The picketers were hitting the rental car, including the windows, with heavy flashlights and a bullhorn. They were also pounding on the vehicle with their fists and open palms. I was in imminent fear for my safety. I was afraid a window would break, and/or they would open the doors and try to drag us out and instigate a fight. The picketers were saying things like "Fuck around and find out" and "why doesn't Kurt step out of the car, handle business man to man."

20. We were unable to move forward or exit the vehicle for approximately ten minutes, as the picketers chanted and made circles around the vehicle and continued to subject us to threats and intimidation. I was concerned that I would be personally dragged out of the vehicle due to my identification to the picketers by Business Agent Erik Logan. I was also worried we would be stuck in place, as we became aware that the crowd had slashed the tires of two of the vans following us in the caravan.

21. The vans were repaired on-site, with two flat tires. The keying of the rental car caused significant damage that Republic will have to incur.

22. Once inside the Republic lot, I could hear the crowd from inside the fence line. The picketers were extremely loud, and the noise persisted inside the building. The other vans in the caravan were not able to get into the facility, with the first being held for one hour and the second for two hours.

23. The picketers then blocked our hauling trucks from exiting the lot to complete routes to service customers. The first hauling truck did not leave the lot, despite trying to do so, for over three hours. When that first truck was trying to leave the property, the picketers went up and disabled some airlines, which causes a failure to the braking system. The driver was unable to exit his truck to fix this as it was surrounded by picketers. The police were standing right there and watched this whole scene without intervening.

24. Republic is engaged in a highly competitive business depending on the free ingress and egress of its contractors, subcontractors, suppliers, customers, visitors, invitees, officers, employees, and the employees of Republic's contractors and subcontractors. The actions of Local 25 and the picketers have impeded such free ingress and egress, impeded the ability for Republic to provide its waste collection, removal and disposal business and have damaged and will continue to damage Republic's property, Republic's goodwill with its customers, vendors, and its business interests.

25. Republic has contracted with several police departments to provide police "detail" officers in an attempt to provide security at several locations, including: 1) hotels in which replacement employees and managers are staying; 2) the Revere Facility; 3) the Peabody Hauling Facility; 4) the Roxbury Facility; 5) the Win Transfer Station; and 6) the Holbrook Facility, at a cost of more than \$100,000, daily.

26. Some customers' waste has not been picked up in more than a week and Republic has the real risk of losing valuable customers as a result of garbage going uncollected.

27. On or about July 3, 2025, I became aware that Local 25 had sent a letter to Graham Waste Services (“Graham”) regarding their “assistance” to Republic during the strike. Graham is a small trash hauling company that also supplies dumpsters. Since Republic could not conduct trash pick up in the City of Watertown due to the service disruption, Graham assisted the Watertown Department of Public Works by dropping off a dumpster to help their trash site for residents to use. Local 25 became aware of this assistance and sent the letter in **Exhibit A**. Based on information and belief, Graham stopped providing replacement dumpsters due to the ongoing strike.

28. On or about July 3, 2025, I received reports that drivers with stops at Win Waste (“Win”) at its location in Saugus, MA were experiencing strike activity from Local 25. Republic has contracts with Win Waste which permits Republic to haul trash to Win for processing and conversion to energy. Win then supplies the energy to various municipalities, including Saugus, for use in their electrical grid. There was also an incident on or about July 4, 2025 that a Republic driver was sprayed on or near his face with glass window cleaner and was harassed by a group of picketers. Win representatives called Republic and asked for the company to pay for and/or provide security services at Win due to the presence of the picketers. Due to ongoing safety concerns at the Win Saugus location, Republic has provided private security at the site since July 3, 2025. The costs of this expense are still being calculated, but as of now can be estimated to be approximately \$2,800 per day.

29. On or about July 3, 2025, Local 25 sent a letter to Resource Waste Services, Reenergy Roxbury LLC (“Resource”), and demanded that Resource cease doing business with Republic until the strike is over, and if they did not, the strike activity would extend to Resource. See **Exhibit B**. Resource and Republic conduct business regarding the use of Resource’s transfer

stations. As a result, Resource General Manager Stan Walczak contacted me to inform me that they “can’t do business with Republic” until the strike is over, as they did not want strike activity to occur on their property.

28. On or about July 3, 2025, Local 25 became aware of one of the hotel locations where our replacement workers were being housed, the Hilton Garden Inn (“Hilton”) located at 100 Boardman Street, East Boston. Local 25 sent a letter to the Hilton, threatening to publicize the Hilton’s role in “assisting Republic” and the hotel’s renting of rooms to “scabs.” Local 25 threatened to inform “your guests and the general public” and said “if necessary,” Local 25 would distribute leaflets to the hotel’s guests and other who use the hotel. See Exhibit C.

29. As of July 2, 2025 through the present, the Revere location has remained closed due to the nature of the picketing activity and the inability of the Revere Police department to control the crowds.

30. The Holbrook and Quincy facilities were closed from July 1, 2025 to July 7, 2025. As soon as the Holbrook facility reopened on July 8, 2025, Local 25 picketers began swarming trucks and engaging in the same conduct as they had at Republic’s other locations.

31. Since the strike began on July 1, 2025, BU 141 and BU 143 have experienced severe declines in their abilities to service customer routes, which has had and continues to have a catastrophic effect on Republic’s business.

Signed under the penalties of perjury this 9th day of July, 2025.

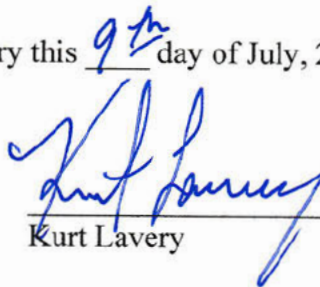

Kurt Lavery

Exhibit A



Graham Waste Services put on notice to stay out of our fight at Republic Services.
FAFO!

#teamsterslocal25 #newenglandteamsters #republicservices #strike #FAFO

Read the letter



We will only accept deliveries from UNION CARRIERS. All other deliveries WILL BE REFUSED!

Teamsters Local Union No. 25

affiliated with the
International Brotherhood of Teamsters

544 MAIN STREET • BOSTON, MASSACHUSETTS 02129-1113 • (617) 241-8825 • Fax (617) 242-4284
www.teamsterslocal25.com

July 3, 2025

grahamsupport@grahamwaste.com

THOMAS G. MARI
President/Principal Officer

STEVEN I. SOUTH
Secretary-Treasurer

JOAN C. COREY
Vice President/Business Agent

PETER S. BERRY
Recording Secretary

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Business Agent

NANCY L. CAMPBELL
Business Agent

MILTON F. DEFINA
Field Representative

MICHAEL P. O'BRIEN
Field Representative

ERIC A. LOGAN
Field Representative

Graham Waste Services
1093 North Montello Street
Brockton, MA 02301

To Whom It May Concern:

As you may be aware, Teamsters Local Union No. 25 is on strike against Republic Services in Massachusetts.

We have become aware that your company is assisting Republic Services by agreeing to pick up communities such as Watertown Ma. during the strike. As such, your company has become an "ally" to Republic Services under the National Labor Relations Act.

Under these circumstances, Teamsters Local Union No. 25 is permitted to extend its picket lines to all your facilities. Therefore, unless I receive immediate assurances that your company will terminate its assistance to Republic Services no later than the close of business today, you should expect that Teamsters Local Union No. 25 will extend its picketing activity to your facilities. It is hoped that this will not become necessary.

Please contact me at tmari@teamsterslocal25.com if you have any questions.

Very truly yours,

Thomas G. Mari
President/Principal Officer

Certified Mail # 7021 2720 0002 0901 4894
Return Receipt Requested

Fax: 781-383-9669



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Brockton, MA 02301

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Very truly yours,

Thomas G. Mari
President/Principal Officer


Certified Mail # 7021 2720 0002 0901 4894
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Fax: 781-383-9669

Exhibit B

ReSource Waste Services put on notice to stay out of our fight at Republic Services.
FAFO!

#teamsterslocal25 #newenglandteamsters #republicservices #strike #FAFO

Read the letter  



We will only accept deliveries from UNION CARRIERS. All other deliveries WILL BE REFUSED!

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July 3, 2025

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Secretary-Treasurer

JOAN C. COREY
Unit President/Business Agent

PETER S. BERRY
Recording Secretary

JOHN J. IUSZKIEWICZ III
Treasurer

EDWARD J. WELCH JR.
Driver

NICO A. CATANO
Treasurer

JASON A. LOPES
Business Agent

JOSEPH F. FOTI
Business Agent

PETER A. ALVARADO
Business Agent

IRIAN E. HATCH
Business Agent

NANCY L. CAMPBELL
Business Agent

MILTON F. DEPPINA
Field Representative

MICHAEL P. O'BRIEN
Field Representative

ERIC A. LOGAN
Field Representative

info@roxbury@resource-waste.com

Stan Walczak, Facility Manager
ReSource Waste Services
Reenergy Roxbury LLC
101 Gerard St.,
Boston, MA 02119

Dear Mr. Walczak;

As you may be aware, Teamsters Local Union No. 25 is on strike against Republic Services in Massachusetts.

We have become aware that your facility in Roxbury MA is assisting Republic Services by permitting your Roxbury facility to be used by Republic Services during the strike. As such, your company has become an "ally" to Republic Services under the National Labor Relations Act.

Under these circumstances, Teamsters Local Union No. 25 is permitted to extend its picket lines to your Roxbury facility. Therefore, unless I receive immediate assurances that your company will terminate its assistance to Republic Services no later than the close of business today, you should expect that Teamsters Local Union No. 25 will extend its picketing activity to your Roxbury facility. It is hoped that this will not become necessary.

Please contact me at tmari@teamsterslocal25.com if you have any questions.

Very truly yours,

Thomas G. Mari
President



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inforoxbury@resource-waste.com

Stan Walczak, Facility Manager
ReSource Waste Services
Reenergy Roxbury LLC
101 Gerard St.,
Boston, MA 02119

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Under these circumstances, Teamsters Local Union No. 25 is permitted to extend its picket lines to your Roxbury facility. Therefore, unless I receive immediate assurances that your company will terminate its assistance to Republic Services no later than the close of business today, you should expect that Teamsters Local Union No. 25 will extend its picketing activity to your Roxbury facility. It is hoped that this will not become necessary.

Please contact me at tmari@teamsterslocal25.com if you have any questions.

Very truly yours,

Thomas G. Mari
President

Certified Mail # 7021 2720 0002 0901 4887
Return Receipt Requested

Exhibit C



Teamsters Local Union No. 25

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MILTON F. DEPINA
Field Representative

MICHAEL P. O'BRIEN
Field Representative

ERIC A. LOGAN
Field Representative

Hilton Garden Inn
100 Boardman Street
E. Boston, MA 02128

To Whom It May Concern:

As you may be aware, Teamsters Local Union No. 25 is on strike against Republic Services in Massachusetts.

We have become aware that the hotel is assisting Republic Services during this labor dispute by permitting Republic Services to rent rooms for individuals who function as strike breakers or "scabs."

Therefore, consider this letter as notice that Local 25 will inform your guests and the general public of the hotel's role in assisting Republic Services during this labor dispute. If necessary, Local 25 intends to distribute leaflets to the hotel's guests and others who use the hotel that certain guests in the hotel are "scabs" whose sole function is to hurt the members of Local 25 who are on strike. In order to avoid this action, Local 25 hopes the hotel will reconsider its decision to allow Republic Services to rent rooms for this purpose.

Please contact me at tmari@teamsterslocal25.com if you have any questions.

Very truly yours,

Thomas G. Mari
President/Principal Officer

Teamsters, Chauffeurs, Warehousemen & Helpers, Furniture & Piano Moving, Furniture Store Drivers,
Packers & Helpers, Conventions, Exhibit & Trade Shows, Newspaper Chauffeurs, Distributors & Helpers,
Boston and Greater Boston Area, Massachusetts





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NOTICE

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ERIC A. LOGAN
Field Representative

Teamsters Local Union No. 25 is on strike against
REPUBLIC SERVICES.

More than 350 members of Teamsters Local Union No. 25 are striking **REPUBLIC SERVICES** to get the same wages and benefits currently being paid to other Teamster Local Union No. 25 members who are employed by **REPUBLIC SERVICES** competitors.

Unfortunately, this hotel has agreed to allow **REPUBLIC SERVICES** to rent rooms for the **STRIKEBREAKERS** and **SCABS** hired by **REPUBLIC SERVICES** to hurt our effort to get fair wages and benefits for our members.

We are asking you to tell the hotel not to rent rooms to
REPUBLIC SERVICES for this purpose.

THANK YOU FOR YOUR SUPPORT

Teamsters, Chauffeurs, Warehousemen & Helpers, Furniture & Piano Moving, Furniture Store Drivers,
Packers & Helpers, Conventions, Exhibit & Trade Shows, Newspaper Chauffeurs, Distributors & Helpers,
Boston and Greater Boston Area, Massachusetts

